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June 8, 2023

Judge Diane Gujarati
Eastern District Court of New York
225 Cadman Plaza East
Brooklyn, NY 11201

John W. Peterson
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Re: Chef Alessandro Pirozzi, Inc. and Pirozzi Enterprises, LLC v. CardConnect, LLC (“CardConnect”) and Fiserv, Inc. (“Fiserv”) (Case No. 2:22-cv-00902-DG-SIL) – Defendants’ Unopposed Motion for Extension of Time to Object to Magistrate’s Report and Recommendation

Dear Judge Gujarati,

Defendants CardConnect and Fiserv (“Defendants”) write pursuant to Individual Practice Rule No. I.F. to request an extension of time to object to the Magistrate Locke’s Report and Recommendation up to and including July 14, 2023.

On June 1, 2023, Magistrate Locke issued his Report and Recommendation regarding Defendants’ Motion to Dismiss for Failure to State a Claim. (EFC No. 44.) Defendants’ objections to the Report and Recommendation are currently due on June 14, 2023. (*Id.*; 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 72.) On June 5, 2023, the Court granted the parties’ Joint Motion adjourning the status conference to July 20, 2023, and continuing the stay until June 30, 2023. (June 5, 2023 Order.)

The parties continue to confer regarding this matter and are discussing resolution. Accordingly, Defendants respectfully request the Court to extend Defendants’ time to object to the Report and Recommendation to 14 days after the stay ends, up to and including July 14, 2023.

Counsel for Defendants have conferred with Plaintiffs’ counsel regarding this request, and Plaintiffs’ counsel has advised Plaintiff does not oppose the request. No prior extensions to object to the Report and Recommendation have been requested by Defendants. This motion is made in good faith and not for purposes of vexation, harassment, or undue delay. No party will be prejudiced as a result of the requested extension.

Sincerely,

/s/ John W. Peterson

John W. Peterson